IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

**THURSDAY, THE TWENTY FIRST DAY OF JULY
TWO THOUSAND AND FIVE**

PRESENT

THE HON'BLE MR JUSTICE ELIPE DHARMA RAO

-

WRIT PETITION NO : 15933 of 2005

Between:

1. R.Srinivasa Rao, S/o.Sriramulu, age 31 years,

R/o.Sujathanagar, Chinnamushidivada,

Pendurthi, Visakhapatnam.

2. A.Errayya, S/o.Rajulu, age 35 years,

R/o.Sujathanagar, Chinnamushidivada,

Pendurthi, Visakhapatnam.

3. P.Raja Rao, S/o.Satyam, age 30 years,

R/o.Sujathanagar, Chinnamushidivada,

Pendurthi, Visakhapatnam.

4. K.Kalavathi, W/o.Sreenivasa Rao, age 25 years,

R/o.Sujathanagar, Chinnamushidivada,

Pendurthi, Visakhapatnam.

5. G.Chinnatali, W/o.Kondababu, age 35 years,

R/o.Sujathanagar, Chinnamushidivada,

Pendurthi, Visakhapatnam.

6. K.Narayana Rao, S/o.Ramulu, age 25 years,

R/o.Sujathanagar, Chinnamushidivada,

Pendurthi, Visakhapatnam.

7. A.Gowri, W/o.Appana, age 25 years,

R/o.Sujathanagar, Chinnamushidivada,

Pendurthi, Visakhapatnam.

8. A.Rammanamma, W/o.Tavitaiah, age 30 years,

R/o.Sujathanagar, Chinnamushidivada,

Pendurthi, Visakhapatnam.

9. G.Sorojini, W/o.Sekhar, age 24 years,

R/o.Sujathanagar, Chinnamushidivada,

Pendurthi, Visakhapatnam.

10. N.Rama, W/o.Suryanarayana, age 25 years,

R/o.Sujathanagar, Chinnamushidivada,

Pendurthi, Visakhapatnam.

11. T.Samudramma, W/o.Rajulu, age 28 years,

R/o.Sujathanagar, Chinnamushidivada,

Pendurthi, Visakhapatnam.

12. P.Vijayalakshmi, W/o.Ramu, age 40 years,

R/o.Sujathanagar, Chinnamushidivada,

Pendurthi, Visakhapatnam.

13. Vanapally Varalakshmi, W/o.Eswar Rao, age 35 years,

R/o.Sujathanagar, Chinnamushidivada,

Pendurthi, Visakhapatnam.

14. P.Suramma, W/o.Chinna Rao, age 39 years,

R/o.Sujathanagar, Chinnamushidivada,

Pendurthi, Visakhapatnam.

15. N.Erribabu, S/o.Kishtamma, age 58 years,

R/o.Sujathanagar, Chinnamushidivada,

Pendurthi, Visakhapatnam.

16. N.Nookaraju, S/o.Erribabu, age 25 years,

R/o.Sujathanagar, Chinnamushidivada,

Pendurthi, Visakhapatnam.

17. D.Ramarao, S/o.Appanna, age 30 years,

R/o.Sujathanagar, Chinnamushidivada,

Pendurthi, Visakhapatnam.

18. A.Ramanamma, W/o.Jogarao, age 30 years,

R/o.Sujathanagar, Chinnamushidivada,

Pendurthi, Visakhapatnam.

19. P.Archana, W/o.Govinda, age 34 years,

R/o.Sujathanagar, Chinnamushidivada,

Pendurthi, Visakhapatnam.

20. G.Ramanamma, W/o.Damudu, age 35 years,

R/o.Sujathanagar, Chinnamushidivada,

Pendurthi, Visakhapatnam.

21. S.Suryakanta, W/o.Arjun Rao, age 32 years,

R/o.Sujathanagar, Chinnamushidivada,

Pendurthi, Visakhapatnam.

22. P.Kankamahalakshmi, W/o.Koteswararao, age 33 years,

R/o.Sujathanagar, Chinnamushidivada,

Pendurthi, Visakhapatnam.

23. B.Gopal, S/o.Sreeramulu, age 26 years,

R/o.Sujathanagar, Chinnamushidivada,

Pendurthi, Visakhapatnam.

24. K.Sreenu, S/o.Kankarao, age 25 years,

R/o.Sujathanagar, Chinnamushidivada,

Pendurthi, Visakhapatnam.

25. M.Ramu, S/o.Appa Rao, age 25 years,

R/o.Sujathanagar, Chinnamushidivada,

Pendurthi, Visakhapatnam.

26. B.Lakshmi, W/o.Ramana, age 30 years,

R/o.Sujathanagar, Chinnamushidivada,

Pendurthi, Visakhapatnam.

27. M.Someswara Rao, S/o.Beemalingam, age 50 years,

R/o.Sujathanagar, Chinnamushidivada,

Pendurthi, Visakhapatnam.

28. Ch.Satyavathi, W/o.Ramana, age 30 years,

R/o.Sujathanagar, Chinnamushidivada,

Pendurthi, Visakhapatnam.

29. N.Mangamma, W/o.Asirinaidu, age 30 years,

R/o.Sujathanagar, Chinnamushidivada,

Pendurthi, Visakhapatnam.

30. A.Ramana, S/o.Ramulu, age 35 years,

R/o.Sujathanagar, Chinnamushidivada,

Pendurthi, Visakhapatnam.

31. G.Asirinaidu, S/o.Appalanaidu, age 35 years,

R/o.Sujathanagar, Chinnamushidivada,

Pendurthi, Visakhapatnam.

32. A.Ramana, S/o.Tatalu, age 32 years,

R/o.Sujathanagar, Chinnamushidivada,

Pendurthi, Visakhapatnam.

33. A.Dhamudu, S/o.Appalaswamy, age 30 years,

R/o.Sujathanagar, Chinnamushidivada,

Pendurthi, Visakhapatnam.

34. A.Krishna, S/o.Krishnamma, age 28 years,

R/o.Sujathanagar, Chinnamushidivada,

Pendurthi, Visakhapatnam.

35. K.Mariyadass, S/o.Appanna, age 40 years,

R/o.Sujathanagar, Chinnamushidivada,

Pendurthi, Visakhapatnam.

36. T.Adilakshmi, W/o.Ramachandrarao, age 35 years,

R/o.Sujathanagar, Chinnamushidivada,

Pendurthi, Visakhapatnam.

37. P.Krishna Moorthy, S/o.Sambamoorthy, age 40 years,

R/o.Sujathanagar, Chinnamushidivada,

Pendurthi, Visakhapatnam.

38. K.Venkatrao, S/o.Tatababu, age 30 years,

R/o.Sujathanagar, Chinnamushidivada,

Pendurthi, Visakhapatnam.

39. K.Rama, W/o.Appalaraju, age 28 years,

R/o.Sujathanagar, Chinnamushidivada,

Pendurthi, Visakhapatnam.

40. M.Bharathi, W/o.Simahachalam, age 30 years,

R/o.Sujathanagar, Chinnamushidivada,

Pendurthi, Visakhapatnam.

41. N.Narasingha Rao, S/o.B.Abbulu, age 25 years,

R/o.Sujathanagar, Chinnamushidivada,

Pendurthi, Visakhapatnam.

42. G.Apparao, S/o.Konda Babu, age 28 years,

R/o.Sujathanagar, Chinnamushidivada,

Pendurthi, Visakhapatnam.

43. B.Satyanarayana, S/o.Venkataratnam,

R/o.Sujathanagar, Chinnamushidivada,

Pendurthi, Visakhapatnam.

44. A.Gowrinaidu, S/o.Jaggarao, age 30 years,

R/o.Sujathanagar, Chinnamushidivada,

Pendurthi, Visakhapatnam.

45. A.Appalamma, W/o.Kishtamma, age 38 years,

R/o.Sujathanagar, Chinnamushidivada,

Pendurthi, Visakhapatnam.

46. G.Pappamma, W/o.Sreeramulu, age 39 years,

R/o.Sujathanagar, Chinnamushidivada,

Pendurthi, Visakhapatnam.

47. N.Dhamudamma, W/o.Ramalakshmi, age 30 years,

R/o.Sujathanagar, Chinnamushidivada,

Pendurthi, Visakhapatnam.

48. N.Chinnakrishna, S/o.Dasudu, age 30 years,

R/o.Sujathanagar, Chinnamushidivada,

Pendurthi, Visakhapatnam.

49. N.Acchiamma, W/o.Appalaswamy, age 35 years,

R/o.Sujathanagar, Chinnamushidivada,

Pendurthi, Visakhapatnam.

50. G.Suryanarayana, S/o.Satyam, age 40 years,

R/o.Sujathanagar, Chinnamushidivada,

Pendurthi, Visakhapatnam.

51. M.Narayanamma, W/o.Chantibabu, age 35 years,

R/o.Sujathanagar, Chinnamushidivada,

Pendurthi, Visakhapatnam.

52. K.Gangamma, W/o.Pentaiah, age 40 years,

R/o.Sujathanagar, Chinnamushidivada,

Pendurthi, Visakhapatnam.

53. Ch.Ramu, S/o.Avataram, age 25 years,

R/o.Sujathanagar, Chinnamushidivada,

Pendurthi, Visakhapatnam.

54. A.Mahalakshmi, W/o.Shimachalam, age 25 years,

R/o.Sujathanagar, Chinnamushidivada,

Pendurthi, Visakhapatnam.

55. L.Anjibabu, S/o.Ramaiah, age 40 years,

R/o.Sujathanagar, Chinnamushidivada,

Pendurthi, Visakhapatnam.

56. B.Kankamahalakshmi, W/o.Suresh, age 25 years,

R/o.Sujathanagar, Chinnamushidivada,

Pendurthi, Visakhapatnam.

57. D.Manga, W/o.Dhamudu, age 24 years,

R/o.Sujathanagar, Chinnamushidivada,

Pendurthi, Visakhapatnam.

58. R.Kalavathi, W/o.Sreeramulu, age 40 years,

R/o.Sujathanagar, Chinnamushidivada,

Pendurthi, Visakhapatnam.

59. E.Eswaramma, W/o.Apparao, age 25 years,

R/o.Sujathanagar, Chinnamushidivada,

Pendurthi, Visakhapatnam.

60. M.Varalakshmi, W/o.Vykuntarao, age 24 years,

R/o.Sujathanagar, Chinnamushidivada,

Pendurthi, Visakhapatnam.

61. G.Chandramma, W/o.Ramana, age 29 years,

R/o.Sujathanagar, Chinnamushidivada,

Pendurthi, Visakhapatnam.

62. L.Mallamma, W/o.Sreenu, age 30 years,

R/o.Sujathanagar, Chinnamushidivada,

Pendurthi, Visakhapatnam.

63. A.Kanakamma, W/o.Surrinarayana, age 25 years,

R/o.Sujathanagar, Chinnamushidivada,

Pendurthi, Visakhapatnam.

64. R.Varalakshmi, W/o.Thrinadarao, age 25 years,

R/o.Sujathanagar, Chinnamushidivada,

Pendurthi, Visakhapatnam.

65. M.Sanyasamma, W/o.Venkata Ramana, age 30 years,

R/o.Sujathanagar, Chinnamushidivada,

Pendurthi, Visakhapatnam.

66. P.Jyothi, W/o.Sreeramulu, age 35 years,

R/o.Sujathanagar, Chinnamushidivada,

Pendurthi, Visakhapatnam.

67. K.Jagadambha, W/o.Satyam, age 35 years,

R/o.Sujathanagar, Chinnamushidivada,

Pendurthi, Visakhapatnam.

68. N.Chilukamma, W/o.Apparao, age 30 years,

R/o.Sujathanagar, Chinnamushidivada,

Pendurthi, Visakhapatnam.

69. R.Eswaramma, W/o.Verribabu, age 25 years,

R/o.Sujathanagar, Chinnamushidivada,

Pendurthi, Visakhapatnam.

70. Ch.Surodamma, S/o.Koteswararao, age 35 years,

R/o.Sujathanagar, Chinnamushidivada,

Pendurthi, Visakhapatnam.

71. G.Padamavathi, W/o.Apparao, age 30 years,

R/o.Sujathanagar, Chinnamushidivada,

Pendurthi, Visakhapatnam.

72. Fathimma, W/o.S.K.Madeena, age 40 years,

R/o.Sujathanagar, Chinnamushidivada,

Pendurthi, Visakhapatnam.

73. D.Savithri, W/o.Chinnarao, age 30 years,

R/o.Sujathanagar, Chinnamushidivada,

Pendurthi, Visakhapatnam.

74. A.Ramalakshmi, W/o.Mahalakshminaidu, age 35 years,

R/o.Sujathanagar, Chinnamushidivada,

Pendurthi, Visakhapatnam.

75. G.Radha, W/o.Suribabu, age 25 years,

R/o.Sujathanagar, Chinnamushidivada,

Pendurthi, Visakhapatnam.

76. V.Parvathi, W/o.Nagaraju, age 30 years,

R/o.Sujathanagar, Chinnamushidivada,

Pendurthi, Visakhapatnam.

77. S.Varalakshmi, W/o.Kankaraju, age 35 years,

R/o.Sujathanagar, Chinnamushidivada,

Pendurthi, Visakhapatnam.

78. P.Padditalli, S/o.Jaghanadam, age 30 years,

R/o.Sujathanagar, Chinnamushidivada,

Pendurthi, Visakhapatnam.

79. K.Kalavathi, W/o.Jaghanadam, age 35 years,

R/o.Sujathanagar, Chinnamushidivada,

Pendurthi, Visakhapatnam.

80. G.Neelavani, W/o.Mallesh, age 35 years,

R/o.Sujathanagar, Chinnamushidivada,

Pendurthi, Visakhapatnam.

81. D.Appalanarsamma, W/o.Chinnodu, age 30 years,

R/o.Sujathanagar, Chinnamushidivada,

Pendurthi, Visakhapatnam.

82. Vankara Saralakurmari, W/o.Issak, age 29 years,

R/o.Sujathanagar, Chinnamushidivada,

Pendurthi, Visakhapatnam.

83. M.Shantikumari, W/o.Rajesh, age 28 years,

R/o.Sujathanagar, Chinnamushidivada,

Pendurthi, Visakhapatnam.

.... PETITIONERS

AND

1. The District Collector, Visakhapatnam.

2. The Mandal Revenue Officer, Pendurthy,

Visakhapatnam.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed herein the High Court may be pleased to issue a writ of Mandamus directing the respondents to consider our case for assignment for house sites in S.No.168/4, 5, 6 to a total extent of Ac.2.66 cents in Chinamushidivada Village by not dispossession us from the said land.

Counsel for the Petitioners : DR.P.B.VIJAY KUMAR
Counsel for the Respondents : GP FOR REVENUE

The Court made the following :

ORDER:

This Writ Petition is filed by the petitioners who are landless persons belonging to the weaker sections of the Society stating that they have been residing in Survey No.168/4, 5, and 6 of Chinamushidivada in an extent of Ac.2.66 cents which is a Government porombok land since long time and they have amenities like bore wells, roads etc., and they have also raised coconut trees and other trees in the said land. While so, the respondents are trying to dispossess the petitioners from the said land without following due process of law. Hence, they filed this writ petition apprehending threat of dispossession at the hands of the respondents.

It is the case of the petitioners that they are entitled for assignment of the above said land in view of the policy of the Government i.e., to provide house sites to the weaker sections of the society.

Considering the facts and circumstances of the case, I deem it appropriate to dispose of the Writ Petition at the stage of admission by directing the first respondent-District Collector to conduct an enquiry and assign the lands to the petitioners, if they are eligible, in accordance with law, within a period of eight weeks from the date of receipt of a copy of the Order. Till such time, the respondents are directed not to evict the petitioners from the above said land.

The Writ Petition is accordingly disposed of. No order as to costs.

(ELIPE DHARMA RAO, J)

Dt: 21.07.2005

NOTE: Furnish C.C by tomorrow

(b.o)

To

1. The District Collector, Visakhapatnam

2. The Mandal Revenue Officer, Pendurthy, Visakhapatnam

3. Two CCs to the Government Pleader for Revenue, High Court of A.P., Hyderabad (OUT)

4. Two CD copies